APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,851	02/20/2004	Ronald L. Heiney	BLD920030032US1	7662

47052	7590	12/29/2005

SAWYER LAW GROUP LLP
PO BOX 51418
PALO ALTO, CA 94303

EXAMINER
HAMDAN, WASSEEM H

ART UNIT	PAPER NUMBER
2854	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by (US Patent

6,466,935 B1).

Regarding claim 1, Stuart discloses a system for providing distributed printing [FIG. 1;

column 1, lines 32 -34] comprising:

a plurality of printers [140, 141; column 3, lines 25-29],

at least one print spooler [column 8, lines 45-46; 501; 225]; for managing printing

operations [225] of the plurality of printers [140; 141] ; and

at least one relational database [124; 229] coupled with the print spooler [column 8, lines

45-46; 225], the relational database including a plurality of tables [column 2, line 4; Figures 3

and 4; column 4, lines 37-38], the plurality of tables storing a plurality of print objects [column

2, lines 16-21; Figures 3 and 4];

Wherein the at least one print spooler is configured to utilize the at least one relational

database to perform scheduling print jobs [column 5, lines 65-66; column 6, lines 64-66; column

9, lines 20-22] base on based on a plurality of factors [column 9, lines 20-22] including a priority

of the print jobs [column 9, lines 18-22] an availability of at least one of the plurality of printers

[FIG. 2], and at least one other factor corresponding [column 9, lines 20-29] to at least one other

of the plurality of print objects [FIG. 1 (120); FIG. 2 (220); FIG. 4] to be performed using

distributed printing [FIG. 1; FIG. 2; column 1, lines 32 –34. According to Handbook of Print

Media, by Helmut Kipphan, pages 969-972, distributed printing is the same as decentralized

printing, i.e. distribute and print, which it is taught by Stuart].

Regarding claim 2, Stuart discloses wherein a portion of the plurality of print objects

corresponds the plurality of printers [column 2, lines 29-41; FIG. 3 (311-316); column 7, lines

66-67; column 8, lines 1-5].

Regarding claim 3, Stuart discloses the plurality of print objects includes a plurality of

attributes for each of the plurality of printers [FIG. 3; column 2, lines 52-53; column 7, lines 48-

56; column 7, lines 66-67; column 8, lines 1-16].

Regarding claim 4, Stuart discloses a user of the system has access to each of the

plurality of printers [130; 230].

Regarding claim 5, Stuart discloses the print spooler [column 8, lines 45-46; 501; 225]

and relational database [124; 229] are configured so that continuous printing can be performed

using the plurality of printers [column 2, lines 66-67; column 3, lines 1-2; FIG. 2 shows that the

229 is connected to a plurality of printers via the network, and that is the same as continuous

printing; column 6, lines 21-28; column 3, lines 34-37; lines 45-53; and lines 54-58; column 4,

lines 37-40; column 5, lines 46-54; column 12, lines 21-24, that the plurality of printers are

representing processing devices, and hence there is no interruption to the process. Stuart's

system is a heterogeneous data (printing) processing. The Job Scheduler Work Flow Manager

224 uses a DB2 SQL query to retrieve its highest priority unit of work when a printer is ready. It

sends the job to the printer, monitors the printing process, and hence one skilled in the art

believes that Stuart's system will lead to non-interruption in the printing process].

Regarding claim 6, Stuart discloses the plurality of print objects includes a plurality of

print jobs [FIG. 6].

Regarding claim 7, Stuart discloses the plurality of print objects includes a plurality of

attributes for each of the plurality of print jobs [FIG. 4; column 8, lines 37-42].

Regarding claim 8, Stuart discloses the plurality of print objects includes a plurality of

users [FIGS. 3 and 4; column 8, lines 26-30; 140; 141 (Stuart disclosures in column 8, lines 26-

30 for one of the users 140. Similarly it does apply for the other users 141 via the network and

the user interface 130)].

Regarding claim 9, Stuart discloses the plurality of objects includes a plurality of print

events [310; 311].

Regarding claim 10, Stuart discloses the print spooler further includes a graphical user

interface capable of displaying a status of each of a portion of the plurality of objects [130;

column 3, lines 15-16].

Regarding claim 11, Stuart discloses the graphical user interface is updated using a query

which retrieves only the status for each of a second portion of the plurality of objects that was

updated after a previous query [column 4, lines 37-55. The "Relational Database System"

structure and performance, as Stuart disclosed in column 4, reads on the claim language, which

also confirmed by the "Microsoft Press Computer Dictionary", Third Edition on pages 403 and

404, as described that the "Relational Database System" is: "a database or database management

system that stores information in tables--rows and columns of data--and conducts searches by

using data in specified columns of one table to find additional data in another table. In a

relational database, the rows of a table represent records (collections of information about

separate items) and the columns represent fields (particular attributes of a record). In conducting

searches, a relational database matches information from a field in one table with information in

a corresponding field of another table to produce a third table that combines requested data from

both tables. For example, if one table contains the fields EMPLOYEE-ID, LAST-NAME,

FIRST-NAME, and HIRE-DATE, and another contains the fields DEPT, EMPLOYEE-ID, and

SALARY, a relational database can match the EMPLOYEE-ID fields in the two tables to find

such information as the names of all employees earning a certain salary or the departments of all

employees hired after a certain date. In other words, a relational database uses matching values

in two tables to relate information in one to information in the other. Microcomputer database

products typically are relational databases. *Compare* flat-file database, inverted-list database."

Regarding claim 12, Stuart discloses a system for providing distributed printing

comprising.

a plurality of printers [140; 141; column 3, lines 25-29],

at least one print spooler for managing printing operations [column 8, lines 45-46; 501;

225]; and

at least one relational database [124; 229] coupled with the print spooler [225], the

relational database including a plurality of tables [column 2, line 4; Figures 3 and 4; column 4,

lines 37-38] for storing a plurality of print objects [column 2, lines 16-21; Figures 3 and 4], to be

performed using distributed printing [FIG. 1; FIG. 2; column 1, lines 32 –34. According to

Handbook of Print Media, by Helmut Kipphan, pages 969-972, distributed printing is the same

as decentralized printing, i.e. distribute and print, which it is taught by Stuart], the plurality of

tables includes a printer table for the plurality of printers [column 6, lines 21-28], a jobs table for

a plurality of print jobs [FIG. 6], an accounts table for a plurality of users [FIGS. 3 and 4; column

8, lines 26-30; 140; 141 (Stuart disclosures in column 8, lines 26-30 for one of the users 140.

Similarly it does apply for the other users 141 via the network and the user interface 130)], and a

history table for a plurality of print events [311] and wherein the plurality of objects includes the

plurality of printers [140; 141], the plurality of print jobs, the plurality of users, and the plurality

of print events, the plurality of printers, the plurality of print jobs, the plurality of users [FIGS. 3

and 4; column 4, lines 37-38. Technically, that's what the "Relational Database System" (RDS) does. Please see the definition for RDS above].

wherein the at least one print spooler is configured to utilize the at least one relational database to perform scheduling print jobs base on based on a plurality of factors including a priority of the print jobs an availability of at least one of the plurality of printers, and at least one other factor corresponding to at least one other of the plurality of print objects [column 8, lines 44-67; column 9, lines 1-30; column 10, lines 34-59; FIG. 1 (120); FIG. 2 (220); FIG. 4].

Regarding claim 13, Stuart discloses the plurality of tables includes a history table and the plurality of objects includes a plurality of print events [310].

Regarding claim 14, Stuart discloses that the system of claim 12 further comprising a network interface layer [110] for connecting the at least one print spooler [225] with the at least one relational database [124, 229] .

Regarding claim 15, Stuart discloses a method for performing distributed printing [FIG. 1; column 1, lines 32 -34] comprising:

(a) using at least one print [column 8, lines 45-46; 501; 225] to access at least one relational database [124; 229] including a plurality of tables [column 2, line 4; Figures 3 and 4; column 4, lines 37-38] to schedule at least one print job [column 5, lines 65-66], to be performed using distributed printing [FIG. 1; FIG. 2; column 1, lines 32 –34. According to Handbook of Print Media, by Helmut Kipphan, pages 969-972, distributed printing is the same as

decentralized printing, i.e. distribute and print, which it is taught by Stuart], the plurality of tables

storing a plurality of print objects including a plurality of printers [GIFS. 3 and 4], the using the

at least one print job including utilizing the at least one print spooler and the at least one

relational database [FIG. 1 (124)] to perform scheduling the at least one print job and wherein

the at least one print spooler is configured to utilize the at least one relational database to

perform scheduling print jobs base on based on a plurality of factors including a priority of the

print jobs an availability of at least one of the plurality of printers, and at least one other factor

corresponding to at least one other of the plurality of print objects [column 8, lines 44-67;

column 9, lines 1-30; column 10, lines 34-59; FIG. 1 (120) and FIG. 2 (220); FIG. 4]; and

(b) printing the at least one print job to at least one of the plurality of printers [column 2,

lines 25-26; column 6, lines 66-67].

Regarding claim 16, Stuart discloses the plurality of print objects includes a plurality of

attributes for the plurality of printers and a plurality of job attributes for the at least one print job

printers [FIG. 3; column 2, lines 52-53; column 7, lines 48-56; column 7, lines 66-67; column 8,

lines 1-16], and wherein the accessing step (a) further includes:

(a1) matching a portion of the plurality attributes of the at least one of the plurality of

printers to the plurality of job attributes for the at least one print job [column 10, lines 34-39.

Technically, that's what the "Relational Database System" (RDS) does. Please see the definition

for RDS above].

Regarding claim 17, Stuart discloses the accessing step (a) is performed using a query

provided by the at least one print spooler to the relational database [column 4, lines 37-55; 220].

Regarding claim 18, Stuart discloses the plurality of objects includes a plurality of print

events [310; 311].

Regarding claim 19, Stuart discloses the print spooler further includes a graphical user

interface capable of displaying a status of each of a portion of the plurality of objects [130;

column 3, lines 15-16].

Regarding claim 20, Stuart discloses that the method of claim 19 further comprising: (c)

periodically updating the graphical user interface using a query that retrieves only the status for

each of a second portion of the plurality of objects that was updated after a previous query

[column 5, lines 19-33; column 7, lines 57-65].

Regarding claim 21, 22 and 24, Stuart discloses wherein at least one of each of the at

least one print spooler and each of the at least one the relational database are stored on a plurality

of servers [column 4, lines 37-40; column 3, lines 34-37; lines 45-53; and lines 54-58; column

12, lines 21-24].

Regarding claim 23 and 25, Stuart discloses wherein the at least one print spooler and the

at least one relational database are configured so that continuous printing can be performed using

the plurality of printers [column 2, lines 66-67; column 3, lines 1-2; FIG. 2 shows that the 229 is

connected to a plurality of printers via the network, and that is the same as continuous printing, column 3, lines 34-37; lines 45-53; and lines 54-58; column 4, lines 37-40; column 5, lines 46-54; column 12, lines 21-24, that the plurality of printers are representing processing devices, and hence there is no interruption to the process. Stuart's system is a heterogeneous data (printing) processing. The Job Scheduler Work Flow Manager 224 uses a DB2 SQL query to retrieve its highest priority unit of work when a printer is ready. It sends the job to the printer, monitors the printing process, and hence one skilled in the art believes that Stuart's system will lead to non-interruption in the printing process].

Response to Arguments

3.   Applicant's arguments filed 12/12/2005 have been fully considered but they are not persuasive. Applicant's arguments on pages 9 and 10, that the newly added limitation "print objects to be performed using distributed printing". The examiner respectfully disagrees. According to Handbook of Print Media, by Helmut Kipphan, pages 969-972, distributed printing is the same as decentralized printing, i.e. distribute and print, which is exactly what has been taught by Stuart FIG. 1; FIG. 2; column 1, lines 32 –34]

        Applicant's arguments on page 10, that "Applicant has found no mention in Stuart of the sources of the print jobs being large in number or disparate in nature." The examiner respectfully disagrees, because " the print jobs being large in number or disparate in nature" is not in the claim. Therefore the rejection is proper.

Applicant's arguments on page 11, that "Stuart is does not specifically indicate that the scheduling characteristics include the print jobs priority and Stuart fails to teach or suggest scheduling print jobs based on a plurality of factors including a priority of the print job".

The examiner respectfully disagrees, because Stuart discloses Wherein the at least one print spooler is configured to utilize the at least one relational database to perform scheduling print jobs [column 5, lines 65-66; column 6, lines 64-66; column 9, lines 20-22] base on based on a plurality of factors [column 9, lines 20-22] including a priority of the print jobs [column 9, lines 18-22] an availability of at least one of the plurality of printers [FIG. 2], and at least one other factor corresponding [column 9, lines 20-29] to at least one other of the plurality of print objects [FIG. 1 (120); FIG. 2 (220); FIG. 4]. Stuart's system is a heterogeneous data (printing) processing. The Job Scheduler Work Flow Manager 224 uses a DB2 SQL query to retrieve its highest priority unit of work when a printer is ready. It sends the job to the printer, monitors the printing process, and hence one skilled in the art believes that Stuart's system will lead to non-interruption in the printing process]; and

Stuart discloses to perform scheduling print jobs base on a plurality of factors including a priority of the print jobs and availability of at least one of the plurality of printers, and at least one other factor corresponding to at least one other of the plurality of print objects [column 8, lines 44-67; column 9, lines 1-30; column 10, lines 34-59; FIG. 1 (120); FIG. 2 (220); FIG. 4]. Therefore the rejection is proper.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Wasseem H. Hamdan whose telephone number is (571) 272-

2166. The examiner can normally be reached on M-F (first Friday off) 6:30 AM- 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wasseem H. Hamdan

December 21, 2005

REN YAN
PRIMARY EXAMINER